

Message Text

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ACTION SCS-03

INFO OCT-01 ARA-06 ISO-00 L-03 H-02 DHA-02 PRS-01 SSO-00

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FM AMCONSUL BELIZE

TO AMEMBASSY LONDON NIACT IMMEDIATE

SECSTATE WASHDC NIACT IMMEDIATE 4188

C O N F I D E N T I A L BELIZE 430

E.O. 11652: GDS

TAGS: CASC, BH (MOORE, ALTON W.)

SUBJECT: PENDING EXECUTION OF ALTON W. MOORE

REF: LONDON 19037

1. IN TELEPHONE CONVERSATION WITH SOLICITOR MUIRHEAD, LATTER URGED THAT WE EXPLORE POSSIBILITY OF CHALLENGING LEGALITY OF DEATH PENALTY. HE ASKED THAT WE TELEPHONE HIM AGAIN TODAY TO REPORT OUTCOME. THIS CABLE IS IN LIEU OF TELEPHONE CALL.

2. MOORE'S DEFENSE COUNSEL, DEREK COURtenay, ASSURES US THIS IS NOT POSSIBLE. HOWEVER, COURtenay DID SEND A STATEMENT TO GOVERNOR, TEXT OF WHICH WAS AS FOLLOWS:

QUOTE

MR. MOORE'S DEFENCE AND APPEAL WAS CONDUCTED ON THE BASIS OF HIS DENIAL THAT HE WAS PRESENT WHEN WALTER PITTS WAS KILLED OR THAT HE FIRED THE FATAL SHOT. FOR THIS REASON LITTLE OR NO ATTENTION WAS GIVEN TO THE QUESTION WHETHER OR NOT HIS CONDUCT WAS AFFECTED BY DRINK, OR WHETHER THE THEORY THAT HE BELIEVED THAT HE COULD ACQUIRE PITTS' FARM BY MURDER WAS CREDIBLE.

MR. MOORE HAS NOW ADMITTED HIS GUILT AND PRAYS MERCY FOR THE REASON THAT HE WAS AFFECTED BY DRINK TO SUCH AN EXTENT THAT

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HE DID NOT FORM THE INTENTION TO KILL WALTER PITTS. BECAUSE

OF THE NATURE OF HIS DEFENCE AND THE EVIDENCE LED IN CONSEQUENCE, THERE IS NO MEANS OF ADEQUATELY DETERMINING THIS ISSUE.

IF HE WAS AFFECTED BY DRINK THERE WOULD APPEAR TO BE COGENT REASON FOR URGING THAT THE CIRCUMSTANCES OF THE KILLING ARE NOT SO HEINIOUS AS TO PLACE THIS CASE WITHIN THE CATEGORY OF OFFENCES IN WHICH IN MODERN TIMES HER MAJESTY'S MERCY IS DENIED.

UNQUOTE

EMBASSY MAY RELAY THIS TO MUIRHEAD IF DEEMED USEFUL TO HIM IN HIS DISCUSSIONS WITH PRIVY COUNCIL.

3. AN AFTER-THOUGHT OF INDETERMINATE UTILITY CONCERNS COMPOSITION OF GOVERNOR'S THREE-MEMBER CLEMENCY COMMITTEE, NAMELY,

A. MINISTER (AND DEPUTY PREMIER) CARL LINDBERG ROGERS, WHO CLAIMS TO HAVE BEEN SUBJECTED TO RACIAL BRUTALITIES IN ALABAMA IN HIS YOUTH AND WHO, BECAUSE OF HIS HAVING LATER SERVED TWO YEARS IN A U.S. FEDERAL PENITENTIARY, COULD HARDLY BE EXPECTED TO BE OBJECTIVE IN CONSIDERING CLEMENCY FOR A WHITE SOUTHERNER.

B. ATTORNEY GENERAL ASSAD SHOMAN AT EXTREME LEFT WING OF GOVERNMENT PARTY WITH RECORD OF SPEECHES AND WRITING SHARPLY CRITICAL OF U.S.

C. DR. LENNOX PIKE NO KNOWN BIAS, BUT AS SENIOR MEDICAL OFFICER IN ROGERS' MINISTRY OF HEALTH AND HOME AFFAIRS HE COULD HARDLY BE EXPECTED TO VOTE CONTRARY TO ROGERS.

GOVERNOR NOT BOUND TO ACCEPT RECOMMENDATIONS OF COMMITTEE BUT HE WOULD THINK TWICE ABOUT OVER-RIDING A UNANIMOUS RECOMMENDATION AGAINST CLEMENCY. THIS MAY HAVE BEEN WHAT HAPPENED. GAWF

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 19 JUL 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: MartinML
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975BELIZE00430
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D750249-1157
From: BELIZE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750738/aaaabhx.ytel
Line Count: 96
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION SCS
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 75 LONDON 19037
Review Action: RELEASED, APPROVED
Review Authority: MartinML
Review Comment: n/a
Review Content Flags:
Review Date: 24 JUN 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <24 JUN 2003 by BoyleJA>; APPROVED <05 NOV 2003 by MartinML>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
06 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: PENDING EXECUTION OF ALTON W. MOORE
TAGS: CASC, BH, (MOORE, ALTON W)
To: LONDON STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006